



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 26 2017

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

NOW THE
OFFICE OF LAND AND
EMERGENCY MANAGEMENT

The Honorable Rick Crawford
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Crawford:

Thank you for your letter of March 29, 2017, regarding the Environmental Protection Agency's (EPA) Oil Spill Prevention, Control, and Countermeasure (SPCC) rule and its application to farms and ranches. As mandated by Section 311 of the Federal Water Pollution Control Act, the EPA is responsible for issuing regulations to require spill prevention plans to prevent discharges of oil into navigable waters or adjoining shorelines. Since 1974, all facilities with greater than 1,320 gallons of aggregate aboveground oil storage capacity have been required to have SPCC plans.

As you observed, over the years, the EPA has adjusted the rule's requirements for smaller capacity facilities, which includes many farms, to address those facilities' concerns and increase SPCC compliance. For example, in 2006, the EPA developed a plan self-certification option for all facilities subject to the SPCC that store 10,000 gallons or less of aggregate aboveground oil storage capacity and with no reportable oil discharge history. In 2008, the agency provided small capacity facilities with a self-certification option that allows facilities with simple oil configurations to use a streamlined SPCC plan template. Facilities able to utilize that simplified certification process are those that have an aggregate aboveground oil storage capacity of 10,000 gallons or less, no tank larger than 5,000 gallons, and no reportable oil discharge history. At that time, the EPA estimated that 95 percent of all affected SPCC farms would be eligible to self-certify their plans. Additionally, these regulatory actions also streamlined the requirements by modifying definitions and by creating several exemptions and exclusions that may directly benefit farms and ranchers.

In addition to rule adjustment, it can also be important to assist where compliance is required. The EPA has a dedicated website, titled *SPCC and Agriculture*, to assist the agriculture sector with SPCC rule compliance which features materials and plan templates to help farms and ranches. In addition, there is an SPCC contact in each EPA Region who is available to provide technical assistance on SPCC to the agriculture sector. The EPA provides a publicly accessible service, the Oil Information Center, that provides information on the SPCC program through a toll free phone number. The EPA also staffs the EPA National Agriculture Center, which provides compliance assistance for the agricultural sector on EPA's regulatory programs (see <https://www.epa.gov/agriculture>).

Recently, Congress acted in the Water Resources Reform and Development Act (WRRDA) in 2014 and the Water Infrastructure Improvements for the Nation (WIIN) Act in 2016 to reduce the regulatory

burden of the SPCC rule for farms. We will reflect these and other available tools as we address the concerns outlined in your letter related to farmers and ranchers. We look forward to working with Congress to improve the SPCC program and ensure that our Nation's waters are adequately protected from oil discharges.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at snyder.raquel@epa.gov or at (202) 564-9586.

Sincerely,

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Barry N. Breen
Acting Assistant Administrator



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The Honorable Walter B. Jones
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Jones:

Thank you for your letter of March 29, 2017, regarding the Environmental Protection Agency's (EPA) Oil Spill Prevention, Control, and Countermeasure (SPCC) rule and its application to farms and ranches. As mandated by Section 311 of the Federal Water Pollution Control Act, the EPA is responsible for issuing regulations to require spill prevention plans to prevent discharges of oil into navigable waters or adjoining shorelines. Since 1974, all facilities with greater than 1,320 gallons of aggregate aboveground oil storage capacity have been required to have SPCC plans.

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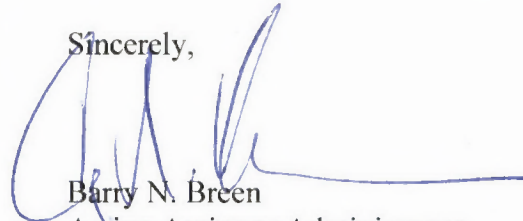
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The Honorable Roger Marshall
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Marshall:

Thank you for your letter of March 29, 2017, regarding the Environmental Protection Agency's (EPA) Oil Spill Prevention, Control, and Countermeasure (SPCC) rule and its application to farms and ranches. As mandated by Section 311 of the Federal Water Pollution Control Act, the EPA is responsible for issuing regulations to require spill prevention plans to prevent discharges of oil into navigable waters or adjoining shorelines. Since 1974, all facilities with greater than 1,320 gallons of aggregate aboveground oil storage capacity have been required to have SPCC plans.

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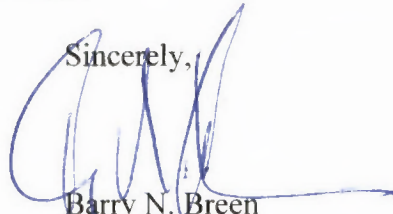
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The Honorable Frank D. Lucas
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Lucas:

Thank you for your letter of March 29, 2017, regarding the Environmental Protection Agency's (EPA) Oil Spill Prevention, Control, and Countermeasure (SPCC) rule and its application to farms and ranches. As mandated by Section 311 of the Federal Water Pollution Control Act, the EPA is responsible for issuing regulations to require spill prevention plans to prevent discharges of oil into navigable waters or adjoining shorelines. Since 1974, all facilities with greater than 1,320 gallons of aggregate aboveground oil storage capacity have been required to have SPCC plans.

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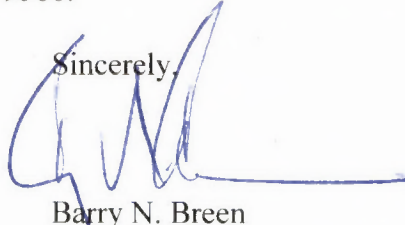
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The Honorable Steve Womack
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Womack:

Thank you for your letter of March 29, 2017, regarding the Environmental Protection Agency's (EPA) Oil Spill Prevention, Control, and Countermeasure (SPCC) rule and its application to farms and ranches. As mandated by Section 311 of the Federal Water Pollution Control Act, the EPA is responsible for issuing regulations to require spill prevention plans to prevent discharges of oil into navigable waters or adjoining shorelines. Since 1974, all facilities with greater than 1,320 gallons of aggregate aboveground oil storage capacity have been required to have SPCC plans.

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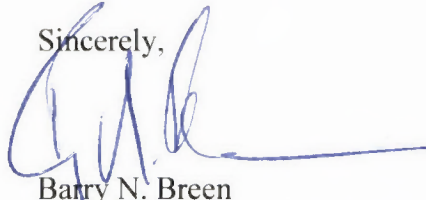
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The Honorable Ralph Abraham
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Abraham:

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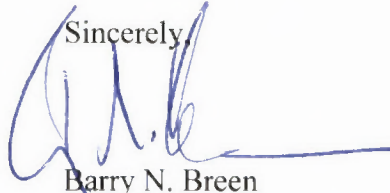
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The Honorable Kevin Cramer
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Cramer:

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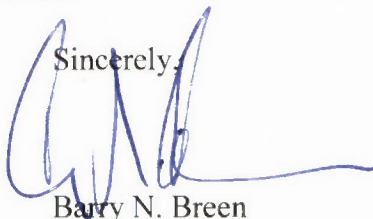
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The Honorable David Rouzer
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Rouzer:

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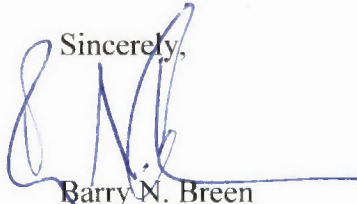
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The Honorable Steven M. Palazzo
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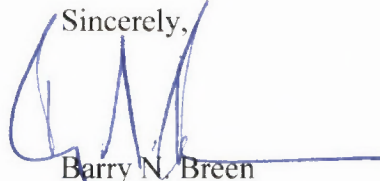
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The Honorable Will Hurd
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Hurd:

Thank you for your letter of March 29, 2017, regarding the Environmental Protection Agency's (EPA) Oil Spill Prevention, Control, and Countermeasure (SPCC) rule and its application to farms and ranches. As mandated by Section 311 of the Federal Water Pollution Control Act, the EPA is responsible for issuing regulations to require spill prevention plans to prevent discharges of oil into navigable waters or adjoining shorelines. Since 1974, all facilities with greater than 1,320 gallons of aggregate aboveground oil storage capacity have been required to have SPCC plans.

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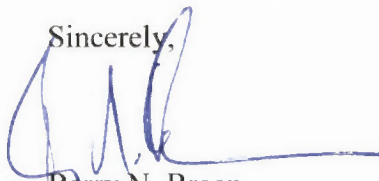
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Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at snyder.raquel@epa.gov or at (202) 564-9586.

Sincerely,

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Barry N. Breen
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

JUN 26 2017

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The Honorable Glenn Thompson
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Thompson:

Thank you for your letter of March 29, 2017, regarding the Environmental Protection Agency's (EPA) Oil Spill Prevention, Control, and Countermeasure (SPCC) rule and its application to farms and ranches. As mandated by Section 311 of the Federal Water Pollution Control Act, the EPA is responsible for issuing regulations to require spill prevention plans to prevent discharges of oil into navigable waters or adjoining shorelines. Since 1974, all facilities with greater than 1,320 gallons of aggregate aboveground oil storage capacity have been required to have SPCC plans.

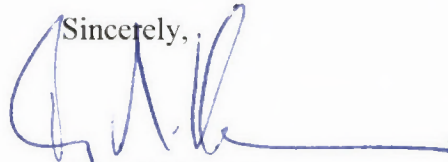
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Barry N. Breen
Acting Assistant Administrator



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The Honorable Bob Gibbs
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Gibbs:

Thank you for your letter of March 29, 2017, regarding the Environmental Protection Agency's (EPA) Oil Spill Prevention, Control, and Countermeasure (SPCC) rule and its application to farms and ranches. As mandated by Section 311 of the Federal Water Pollution Control Act, the EPA is responsible for issuing regulations to require spill prevention plans to prevent discharges of oil into navigable waters or adjoining shorelines. Since 1974, all facilities with greater than 1,320 gallons of aggregate aboveground oil storage capacity have been required to have SPCC plans.

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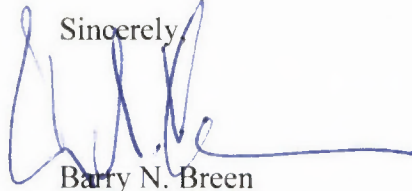
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Barry N. Breen
Acting Assistant Administrator



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The Honorable Paul Gosar
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Gosar:

Thank you for your letter of March 29, 2017, regarding the Environmental Protection Agency's (EPA) Oil Spill Prevention, Control, and Countermeasure (SPCC) rule and its application to farms and ranches. As mandated by Section 311 of the Federal Water Pollution Control Act, the EPA is responsible for issuing regulations to require spill prevention plans to prevent discharges of oil into navigable waters or adjoining shorelines. Since 1974, all facilities with greater than 1,320 gallons of aggregate aboveground oil storage capacity have been required to have SPCC plans.

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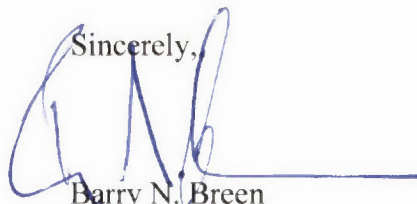
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The Honorable Ted Yoho
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Yoho:

Thank you for your letter of March 29, 2017, regarding the Environmental Protection Agency's (EPA) Oil Spill Prevention, Control, and Countermeasure (SPCC) rule and its application to farms and ranches. As mandated by Section 311 of the Federal Water Pollution Control Act, the EPA is responsible for issuing regulations to require spill prevention plans to prevent discharges of oil into navigable waters or adjoining shorelines. Since 1974, all facilities with greater than 1,320 gallons of aggregate aboveground oil storage capacity have been required to have SPCC plans.

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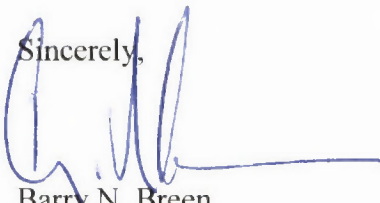
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Acting Assistant Administrator



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The Honorable Richard Hudson
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Hudson:

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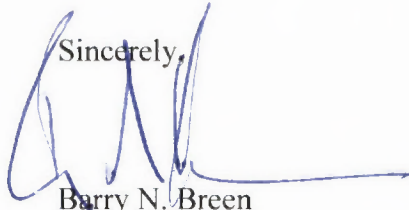
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Barry N. Breen
Acting Assistant Administrator



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The Honorable Bradley Byrne
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Byrne:

Thank you for your letter of March 29, 2017, regarding the Environmental Protection Agency's (EPA) Oil Spill Prevention, Control, and Countermeasure (SPCC) rule and its application to farms and ranches. As mandated by Section 311 of the Federal Water Pollution Control Act, the EPA is responsible for issuing regulations to require spill prevention plans to prevent discharges of oil into navigable waters or adjoining shorelines. Since 1974, all facilities with greater than 1,320 gallons of aggregate aboveground oil storage capacity have been required to have SPCC plans.

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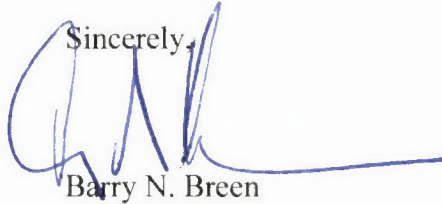
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The Honorable Lynn Jenkins
U.S. House of Representatives
Washington, D.C. 20515

Dear Congresswoman Jenkins:

Thank you for your letter of March 29, 2017, regarding the Environmental Protection Agency's (EPA) Oil Spill Prevention, Control, and Countermeasure (SPCC) rule and its application to farms and ranches. As mandated by Section 311 of the Federal Water Pollution Control Act, the EPA is responsible for issuing regulations to require spill prevention plans to prevent discharges of oil into navigable waters or adjoining shorelines. Since 1974, all facilities with greater than 1,320 gallons of aggregate aboveground oil storage capacity have been required to have SPCC plans.

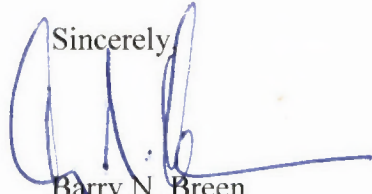
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The Honorable Trent Kelly
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Kelly:

Thank you for your letter of March 29, 2017, regarding the Environmental Protection Agency's (EPA) Oil Spill Prevention, Control, and Countermeasure (SPCC) rule and its application to farms and ranches. As mandated by Section 311 of the Federal Water Pollution Control Act, the EPA is responsible for issuing regulations to require spill prevention plans to prevent discharges of oil into navigable waters or adjoining shorelines. Since 1974, all facilities with greater than 1,320 gallons of aggregate aboveground oil storage capacity have been required to have SPCC plans.

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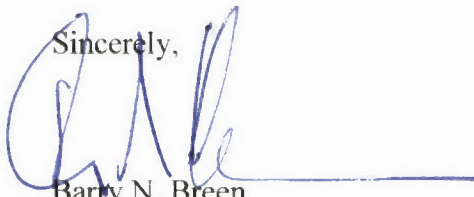
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The Honorable Gregg Harper
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Harper:

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As you observed, over the years, the EPA has adjusted the rule's requirements for smaller capacity facilities, which includes many farms, to address those facilities' concerns and increase SPCC compliance. For example, in 2006, the EPA developed a plan self-certification option for all facilities subject to the SPCC that store 10,000 gallons or less of aggregate aboveground oil storage capacity and with no reportable oil discharge history. In 2008, the agency provided small capacity facilities with a self-certification option that allows facilities with simple oil configurations to use a streamlined SPCC plan template. Facilities able to utilize that simplified certification process are those that have an aggregate aboveground oil storage capacity of 10,000 gallons or less, no tank larger than 5,000 gallons, and no reportable oil discharge history. At that time, the EPA estimated that 95 percent of all affected SPCC farms would be eligible to self-certify their plans. Additionally, these regulatory actions also streamlined the requirements by modifying definitions and by creating several exemptions and exclusions that may directly benefit farms and ranchers.

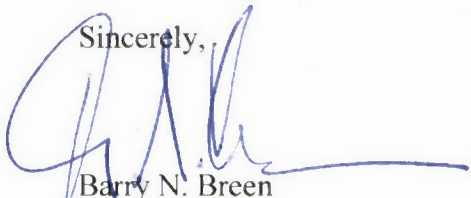
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Recently, Congress acted in the Water Resources Reform and Development Act (WRRDA) in 2014 and the Water Infrastructure Improvements for the Nation (WIIN) Act in 2016 to reduce the regulatory

burden of the SPCC rule for farms. We will reflect these and other available tools as we address the concerns outlined in your letter related to farmers and ranchers. We look forward to working with Congress to improve the SPCC program and ensure that our Nation's waters are adequately protected from oil discharges.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at snyder.raquel@epa.gov or at (202) 564-9586.

Sincerely,

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Barry N. Breen
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 26 2017

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The Honorable Bill Johnson
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Johnson:

Thank you for your letter of March 29, 2017, regarding the Environmental Protection Agency's (EPA) Oil Spill Prevention, Control, and Countermeasure (SPCC) rule and its application to farms and ranches. As mandated by Section 311 of the Federal Water Pollution Control Act, the EPA is responsible for issuing regulations to require spill prevention plans to prevent discharges of oil into navigable waters or adjoining shorelines. Since 1974, all facilities with greater than 1,320 gallons of aggregate aboveground oil storage capacity have been required to have SPCC plans.

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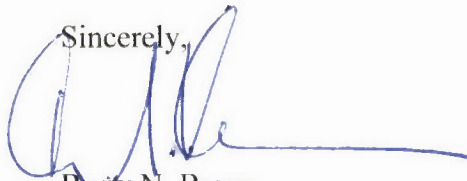
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Acting Assistant Administrator



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The Honorable Doug LaMalfa
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman LaMalfa:

Thank you for your letter of March 29, 2017, regarding the Environmental Protection Agency's (EPA) Oil Spill Prevention, Control, and Countermeasure (SPCC) rule and its application to farms and ranches. As mandated by Section 311 of the Federal Water Pollution Control Act, the EPA is responsible for issuing regulations to require spill prevention plans to prevent discharges of oil into navigable waters or adjoining shorelines. Since 1974, all facilities with greater than 1,320 gallons of aggregate aboveground oil storage capacity have been required to have SPCC plans.

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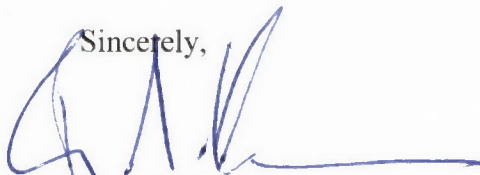
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Acting Assistant Administrator



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WASHINGTON, D.C. 20460

JUN 26 2017

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The Honorable Mike Bost
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Bost:

Thank you for your letter of March 29, 2017, regarding the Environmental Protection Agency's (EPA) Oil Spill Prevention, Control, and Countermeasure (SPCC) rule and its application to farms and ranches. As mandated by Section 311 of the Federal Water Pollution Control Act, the EPA is responsible for issuing regulations to require spill prevention plans to prevent discharges of oil into navigable waters or adjoining shorelines. Since 1974, all facilities with greater than 1,320 gallons of aggregate aboveground oil storage capacity have been required to have SPCC plans.

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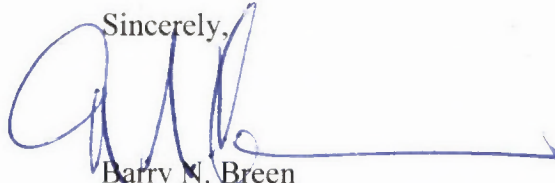
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